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AMENDMENTS TO LB 256

- 1 1. Insert the following new sections:
- 2 "Sec. 33. Section 71-3,106, Revised Statutes Supplement,
- 3 2004, is amended to read:
- 4 71-3,106. The Nebraska Cosmetology Act does not apply to
- 5 or restrict the activities of the following:
- 6 (1) Any person holding a current license or certificate
- 7 issued pursuant to Chapter 71 when engaged in the usual and
- 8 customary practice of his or her profession or occupation;
- 9 (2) Any person engaging solely in earlobe piercing;
- 10 (3) Any person when engaged in domestic or charitable
- 11 administration;
- 12 (4) Any person performing any of the practices of
- 13 cosmetology or nail technology solely for theatrical presentations
- 14 or other entertainment functions;
- 15 (5) Any person practicing cosmetology, electrology,
- 16 esthetics, or nail technology within the confines of a hospital,
- 17 nursing home, massage therapy establishment, funeral establishment,
- 18 or other similar establishment or facility licensed or otherwise
- 19 regulated by the department, except that no unlicensed or
- 20 unregistered person may accept compensation for such practice;
- 21 (6) Any person providing services during a bona fide
- 22 emergency;
- 23 (7) Any retail or wholesale establishment or any person
- 24 engaged in the sale of cosmetics, nail technology products, or

1 other beauty products when the products are applied by the customer
2 or when the application of the products is in direct connection
3 with the sale or attempted sale of such products at retail;

4 (8) Any person when engaged in nonvocational training;

5 (9) A person demonstrating on behalf of a manufacturer or
6 distributor any cosmetology, nail technology, electrolysis, or body
7 art equipment or supplies if such demonstration is performed
8 without charge; ~~and~~

9 (10) Any person or licensee engaged in the practice or
10 teaching of manicuring; and

11 (11) Any person or licensee engaged in the practice of
12 airbrush tanning or temporary, nonpermanent airbrush tattooing.

13 Sec. 101. Original section 71-3,106, Revised Statutes
14 Supplement, 2004, is repealed."

15 2. On page 55, line 28, strike "35 to 45" and insert "36
16 to 46".

17 3. On page 56, line 26; page 57, lines 7 and 22; page
18 58, line 12; page 63, lines 15 and 25; page 69, line 20; page 72,
19 line 21; and page 75, line 23, strike "act" and insert "section".

20 4. On page 61, lines 15 and 18, strike "41" and insert
21 "42".

22 5. On page 72, line 10; page 75, line 16; and page 76,
23 lines 15 and 20, strike "39" and insert "40".

24 6. On page 80, line 16, strike "74 to 76" and insert "75
25 to 77".

26 7. On page 86, line 28, strike "90" and insert "91".

27 8. On page 102, line 15, strike "This act becomes" and

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1 insert "Sections 33, 100, and 101 of this act become operative
2 three calendar months after the adjournment of this legislative
3 session. The other sections of this act become"; and in line 16
4 strike "its" and insert "their".

5 9. Renumber the remaining sections accordingly.